

**IN THE UNITED STATES COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

3:08-CV-367

HIGH VOLTAGE BEVERAGES, LLC

Plaintiff/Counterclaim Defendant,

vs.

THE COCA-COLA COMPANY

Defendant/Counterclaim Plaintiff,

vs.

BRAND NAME MANAGEMENT, INC. n/k/a
Brand Name Development, LLC,
and OWEN RYAN,

Counterclaim Defendants.

**JOINT MOTION FOR
APPOINTMENT OF
SPECIAL MASTER**

The parties jointly move the Court to appoint a Special Master to resolve privilege disputes pursuant to Consent Order Regarding Discovery Motions (#205) [“Consent Order”] ¶ 5(b). The parties have exchanged names of candidates pursuant to Consent Order ¶ 5(a) and have been unable to agree on selection of the Special Master. Accordingly, they hereby jointly submit to the Court the names of those candidates along with their respective curricula vitae:

1. Daniel Capra – see Exhibit A
2. Edward T. Hinson, Jr. – see Exhibit B
3. The Honorable Richard A. Levie (Ret.) – see Exhibit C
4. Paul Rice – see Exhibit D
5. William L. Rikard, Jr. – see Exhibit E
6. James F. Wyatt III – see Exhibit F

The parties respectfully request that the Court appoint a Special Master from the list above or of the Court's own choosing.

Respectfully submitted this 22nd day of July, 2010.

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